

January 7, 2015



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16188

EXPIRATION DATE: August 31, 2016

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: UTLX Manufacturing, LLC
Alexandria, LA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of non-DOT specification tank cars conforming in part to the DOT 120J100W and DOT 120J200W specification for transportation of Class 3 flammable and combustible liquids. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 179.100-4, 179.100-12(b) in that alternative packaging is authorized, and § 172.302(c) in that the marking requirements are waived.
5. BASIS: This special permit is based on the application of UTLX Manufacturing, LLC dated June 12, 2014, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Various proper shipping names for Class 3 Flammable and Combustible Liquids	Class 3	Various	Various

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification tank car meeting the requirements of DOT120J100W and DOT120J200W specification tank cars except that the hinged and bolted manway cover does not meet the minimum thickness required in §179.100-12(b), and the tank does not have insulation around the manway in accordance with the requirements of §179.100-4. The design and construction of the packaging shall conform to drawings on file with the Office of Hazardous Materials Special Permit and Approval Division and all other applicable requirements of 49CFR part 179.

b. TESTING - Periodic requalification must be in accordance with the requirements for a DOT120J100W or DOT120J200W tank car as applicable.

c. OPERATIONAL CONTROLS - None

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained by the owner and lessee of the tank cars constructed under the provision of this special permit as well as at each facility where the package is offered or reoffered for transportation.

d. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail Freight.

10. MODAL REQUIREMENTS:

a. The grantee must notify the Federal Railroad Administration of any unusual incident or incidents known to it that occur during the movement of cars built under this special permit. This includes adverse findings related to the welded protective housing during qualification. FRA may be contacted at:

Federal Railroad Administration
Hazardous Materials Division
RRS-12/Mail Stop 25
1200 New Jersey Avenue, SE
Washington, DC 20590
ATTN: Karl Alexy
202-493-6245, FAX: 202-493-6478
karl.alexey@dot.gov

b. During the manufacturing process of each of the first three tank cars authorized under this special permit hold points shall be imposed to provide for FRA oversight of the manufacturing process. UTLX Manufacturing must provide at least ten (10) working days advance notification of the approach of a hold point to the FRA. If the FRA cannot inspect at the indicated hold point a designated representative will decline in writing and UTLX may proceed with manufacturing. The hold points shall be imposed at:

- (1) Fit-up of the flange to the nozzle.
- (2) Weld of the flange to the nozzle
- (3) Non-destructive testing of the flange to nozzle weld.
- (4) Preparation of the top surface of the flange

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- (5) Securement of the housing base plate to the flange.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials

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incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE/LMajors